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6 *Defendants*

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 MICHAEL SANDERS, Individually and on  
12 Behalf of All Others Similarly Situated,

13 Plaintiff,

14 vs.

15 THE REALREAL, INC., et al.,

16 Defendants.

Case No. 5:19-cv-07737-EJD-VKD

**STIPULATION AND [PROPOSED]  
ORDER REGARDING SCHEDULE FOR  
LEAD PLAINTIFF'S SECOND AMENDED  
COMPLAINT AND DEFENDANTS'  
RESPONSE**

Assigned to: Honorable Edward J. Davila

1           Lead Plaintiff Michael Sanders and named Plaintiffs Nubia Lorelle and Garth Wakeford  
 2 (“Plaintiffs”) and Defendants The RealReal, Inc., Julie Wainwright, Matt Gustke, Steve Lo, Chip  
 3 Baird, Maha Ibrahim, Rob Krolik, Michael Kumin, Stefan Larsson, Niki Leondakis, and James  
 4 Miller (“The RealReal and Individual Defendants”) as well as Credit Suisse Securities (USA) LLC,  
 5 B of A Securities, Inc., UBS Securities LLC, KeyBanc Capital Markets Inc., Stifel, Nicolaus &  
 6 Company, Cowen and Company, LLC, and Raymond James & Associates, Inc. (the “Underwriter  
 7 Defendants” and, together with The RealReal and Individual Defendants, “Defendants”), hereby  
 8 stipulate and agree as follows:

9           WHEREAS, on March 31, 2021, the Court entered an Order Granting In Part and Denying In  
 10 Part Defendants’ Motion to Dismiss (Dkt. No. 43) (the “Order”);

11           WHEREAS, based on the date of the Order, Defendants’ time to answer the Amended  
 12 Complaint (Dkt. No. 31) is currently April 14, 2021;

13           WHEREAS, pursuant to the Order, Plaintiffs are permitted to file a Second Amended  
 14 Complaint on or before April 30, 2021;

15           WHEREAS, the parties agree it is more efficient to postpone Defendants’ time to answer the  
 16 Amended Complaint until after Plaintiffs decide whether to file a Second Amended Complaint;

17           WHEREAS, the parties have conferred regarding a schedule; and

18           IT IS THEREFORE STIPULATED AND AGREED that, subject to the Court’s approval:

19           1.       If Plaintiffs do not file a Second Amended Complaint by April 30, 2021, Defendants  
 20 shall file their answers to the Amended Complaint on or before May 21, 2021.

21           2.       If Plaintiffs file a Second Amended Complaint on or before April 30, 2021,  
 22 Defendants shall file their answers or motions to dismiss the Second Amended Complaint on or  
 23 before Tuesday, June 15, 2021.

24           3.       Should Defendants file motions to dismiss, Plaintiffs shall file their opposition on or  
 25 before Friday, July 30, 2021, and Defendants shall file their replies on or before Tuesday, August 31,  
 26 2021.

1 Dated: April 8, 2021

KING & SPALDING LLP

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*Attorneys for The RealReal, Inc. and Individual Defendants*

9 Dated: April 8, 2021

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*Attorneys for Underwriter Defendants*

16 Dated: April 8, 2021

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*Lead Counsel for Plaintiffs*

\* \* \*

PURSUANT TO THE STIPULATION, IT IS ORDERED:

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
EDWARD J. DAVILA  
United States District Judge

**ATTESTATION**

Pursuant to Local Civil Rule 5-1(i)(3), I hereby attest that all signatories listed above, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: April 8, 2021

/s/ Lisa R Bugni  
Lisa R. Bugni

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of April 2021, a true and correct copy of the foregoing STIPULATION AND [PROPOSED] ORDER REGARDING SCHEDULE FOR LEAD PLAINTIFF'S SECOND AMENDED COMPLIANT AND DEFENDANTS' RESPONSE was served CM/ECF to the parties registered to the Court's CM/ECF system.

Dated: April 8, 2021

/s/ Lisa R Bugni  
Lisa R. Bugni